CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

JUNE 1, 2010

INVOCATION:
Pastor Dave Brogren of Heritage Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Zacarías led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino.

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Assistant City Manager Haydon, Fire Chief Jones, Director of Utilities Sweet, Director of Public Works/City Engineer Whitehead, Director of Administrative Services Visé, Director of Recreation and Parks Posada, Police Chief Macagni, Director of Community Development Appel, and Chief Deputy City Clerk Perez.

PROCLAMATION – NATIONAL LITTLE LEAGUE BASEBALL WEEK
Mayor Lavagnino acknowledged the great Santa Maria baseball players who were in attendance: Harry "Rabbit" Goodchild, Bryn Smith, Ernie Corral, Barney Eames, and Eddie Garcia.

Mayor Lavagnino read a proclamation declaring the week of June 14, 2010, as "National Little League Baseball Week" in the City of Santa Maria, and commending the Santa Maria Little Leagues for providing a successful program that encourages youth leadership and promotes character development benefiting the community for the past sixty years. The proclamation was accepted by Ernie Corral.

PROCLAMATION – MDA FIRE FIGHTER APPRECIATION MONTH
Councilmember Orach read a proclamation declaring the month of June 2010, as "Muscular Dystrophy Association Fire Fighter Appreciation Month" in the City of Santa Maria, and encouraging all residents to extend gratitude and support to the Fire Fighters for their dedication, skill, and caring while partnering with the Muscular Dystrophy Association. The proclamation was accepted by Michael Moore, Santa Barbara County Firefighter's Local 2046.

PROCLAMATION – LAW ENFORCEMENT TORCH RUN DAY
Councilmember Cordero read a proclamation declaring June 8, 2010, as "Special Olympics Law Enforcement Torch Run Day" in the City of Santa Maria, and encouraging residents to recognize and support the law enforcement officers from the City for their efforts in support of the Special Olympic Athletes in the community. The proclamation was accepted by Ken George.

PUBLIC COMMENT
Mark Rademaker spoke against Planned Parenthood and invited all Christian men to join in blocking the entrance of Planned Parenthood.

Ernest Armenta talked about the Community Development Block Grant allocations and conflicts of interest. He thought Councilmember Cordero should have disclosed that his wife was on the board of the North County Rape Crisis Center which received Block Grant funds from the City.

City Attorney Trujillo stated he had an opportunity to research the issue and talk to Mr. Armenta. Councilmember Cordero's spouse was a non-paid volunteer for the non-profit organization. The Councilmember did not serve on the Board of Directors. Under the financial conflict of interest rules, there was no financial interest or conflict to report.

CONSENT CALENDAR
Mayor Lavagnino announced that City staff had distributed the 2010-12 Budget, and Council would be setting the date for the public hearing to be held on June 15, 2010, as part of the Consent Agenda.

Consent Calendar Items 3A through 3I were approved on motion by Councilmember Orach, seconded by Councilmember Zacarías, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of May 18, 2010, were approved as submitted.

C. ANIMAL CONTROL AGREEMENT
Resolution No. 2010-51 was adopted approving an amendment to the agreement with the County of Santa Barbara for animal control services for 2010-11 and 2011-12.

Resolution No. 2010-51 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN AMENDMENT TO THE AGREEMENT WITH THE COUNTY OF SANTA BARBARA FOR ANIMAL CONTROL SERVICES.

D. DISTRIBUTION OF BUDGET
The City Council received the 2010-12 Proposed Budget, directed staff to distribute the documents, and set the time for a public hearing for consideration of the budget for June 15, 2010.

E. WARRANTS
Warrant Nos. 158883 to 159192 totaling $18,721,091.16 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 157163, 158718 and 158949 were cancelled.

F. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

G. ENTERTAINMENT LICENSE
Resolution No. 2010-52 was adopted approving an Entertainment License for Costa De Oro, LLC at 1331 Nicholson Avenue to allow non-amplified solo and duo musical acts on Saturday and Sunday from 3:00 p.m. to 6:00 p.m. and on Friday from 4:00 p.m. to 7:30 p.m.

Resolution No. 2010-52 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN ENTERTAINMENT LICENSE FOR COSTA DE ORO, LLC.

H. FINAL MAP AND SUBDIVISION AGREEMENT

Resolution No. 2010-53 was adopted approving the final subdivision map and agreement for McClelland and Inger Mixed Use, Tract 5901, consisting of 6 commercial units and 47 residential units, located at the northwest corner of the intersection of McClelland Street and Inger Drive. This item was continued from the May 18, 2010, City Council meeting.

Resolution No. 2010-53 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE SUBDIVISION MAP AND AGREEMENT FOR MCCLELLAND AND INGER MIXED USE, TRACT 5901.

I. LANDSCAPE MAINTENANCE DISTRICTS

Resolution No. 2010-54 was adopted approving the 2010-11 Engineer's Reports for the City's 4 Landscape Maintenance Districts and 18 Special Benefit Zones and Resolution No. 2010-55 was adopted stating the Council's intent to levy and collect assessments and setting a date for a public hearing to be held on July 20, 2010.

Resolution No. 2010-54 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE ENGINEER'S REPORTS FOR ASSESSMENT PROCEEDINGS.

Resolution No. 2010-55 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON FOR THE FOUR LANDSCAPE MAINTENANCE DISTRICTS AND THE 18 SPECIAL BENEFIT ZONES.

SUSPENSION OF ANNUAL INCREASES FOR SOLID WASTE LANDFILL FEES AND COLLECTION RATES.

Director of Utilities Sweet gave the staff report. The City Council is requested to adopt a resolution approving the suspension of the five percent annual rate increase effective July 1, 2010, through June 30, 2011, for landfill charges, and suspending the five percent annual rate increase effective January 1, 2011, for a six-month period through June 30, 2011, for solid waste collection. This represents the ninth consecutive year, and the tenth of the past eleven years, that solid waste rate increases have been suspended. A typical residential solid waste customer has saved $767.49 over the last decade as a result of the suspension of solid waste rate increases. The ability to avoid fee increases can be partially attributed to the Non-Hazardous Hydrocarbon Impacted Soils (NHIS) Program that reduced the costs to close the existing landfill and minimize operational costs. In the current fiscal year, Utilities staff evaluated the long-term health of the combined Solid Waste Funds in order to analyze the existing rate structure and provide recommendations for the future. During this process, consideration was given regarding the fiscal means to build a new landfill at Los Flores Ranch known as the Integrated Waste Management Facility (IWMF). The projected closure date for the existing landfill was 2012. Through a series of operational improvements, that date has been extended to 2015. The cost to construct the initial phase of the IWMF is $22.5 million. Delaying this expenditure will benefit the ratepayers by allowing for a longer period of time to accumulate the funds necessary to offset this expenditure. A curbside green waste program would assist the City in diverting waste from the landfill; and therefore, further extend the life of the existing landfill. A pilot green waste program was initiated in 2009 and has been very well received. Community input and the desire to save as much landfill space as possible impelled consideration of a rate increase to implement a Citywide green waste program in July 2011 rather than January 2012. In January 2011, the City will present a proposal to the ratepayers in the monthly utility billing statement and initiate Proposition 218 proceedings to determine if a majority protest exists for the implementation of a Citywide green waste program. Based on information derived from the pilot program, the cost to the ratepayers would be $3.17 per month per residential account for collection vehicles, containers, and operational expenses.

Mayor Lavagnino stated, so far, the City has been lucky and able to suspend rate increases, but he did not want the residents to think that could go on forever. He congratulated Director Sweet for the green waste program and the NHIS program.

Joan Leon stated she was fortunate enough to be in one of the pilot program areas, and they appreciated the green waste program. It seems negligent not to move forward with a green waste program for the City.

Ernest Armenta stated that the green waste program would be part of the 2010-12 budget. He asked what the timeline would be for protesting the green waste program and how many people in a household would be able to vote. He would be voting against it because of the increase in cost.

Director Sweet explained the Proposition 218 process and how the ballots would be sent out.

Deborah Brasket, SBCAN, stated that earlier this year her organization put on a workshop on waste management. Director Sweet attended and spoke about the City's green waste pilot program. SBCAN supported the implementation of the green waste program and wished it had been started sooner to prolong the life of the landfill.

Councilmember Orach asked about the landfill closure fund.

Director Sweet replied that the City was at an ample level financially for closing the current landfill.

Councilmember Cordero asked if there were any anticipated cost factors that might offset the $3.17 cost to the residents for the green waste program.

Director Sweet stated staff designed the program to allow people to downsize their green waste container from a 90 gallon to a 60 gallon container and receive the service for no additional cost.

Resolution No. 2010-56 approving the suspension of annual rate increases for landfill and solid waste was adopted on motion by Councilmember Orach, seconded by Councilmember Cordero, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2010-56 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE SUSPENSION OF THE ANNUAL RATE INCREASES FOR CHARGES AT THE LANDFILL AND SOLID WASTE COLLECTION.

CITY MANAGER'S REPORT

City Manager Ness reported that the main item for the June 15, 2010, City Council meeting would be the public hearing on the proposed 2010-12 Budget.

ORAL REPORTS BY COUNCILMEMBERS

Councilmember Orach reported he attended a few things during the last few weeks, but the most important thing was taking his grand-daughter to the Santa Barbara Zoo on Sunday.

Councilmember Zacarías reported she attended the Prayer Breakfast hosted by the Kiwanis Club of Orcutt, the Tip-A-Cop fundraiser, toured the Achievement House, attended a meeting at the Media Center about "Making Science Fun", the Firefighter's Local 2020 fundraiser at Applebee's, and continued her participation in the Future Search project.

Mayor Lavagnino reported he attended the Firefighter's Local 2020 fundraiser at Applebee's, drove to Sacramento for the California Transportation Committee meeting on the Santa Maria River Bridge Expansion, participated in a radio show with Richard Quandt, and attended the West Coast Kustom Car lunch at the Santa Maria Inn.

Councilmember Patino reported she attended the Prayer Breakfast at the Elk's Club, a Housing Conference in Buellton, the FFA Booster's fundraiser, the Blockman PTA Fundraiser, the League of Women Voters Play, the Dunes Center Teacher Accomplishment Recognition, the Santa Maria Manufacturers Association meeting, spoke at Allan Hancock's Center for Parent Education Forum, attended the Pioneer Valley High School FFA Dinner, the ribbon cutting ceremony for the Joe Centeno Aquatic Center Complex in Cuyama, the Memorial Day ceremony at the Santa Maria Cemetery, and the VFW celebration.

Councilmember Patino suggested that when there were two meetings in a month that were very short like the last two, that there only be one meeting. She said she had gotten a lot of comments about the Day Reporting Center at Plum Tree Plaza. People felt that the Sheriff's Department didn't do a good job of informing residents. They were not taking into consideration the residents of Santa Maria. She requested a letter signed by the Mayor be sent requesting another meeting be held in Santa Maria. The property next door was planned to be a church with a daycare center. Those people had concerns about the Day Reporting Center.

Councilmember Cordero reported he attended the Housing Conference at the Marriott in Buellton, the County's State of the County address, the SBCAG meeting and Air Pollution Control District meeting for the Mayor, the Firefighter's Local 2020 fundraiser, a planning meeting for the City Employee's BBQ, watched the West Coast Kustom Car cruise on Broadway, and attended the Memorial Day service at the cemetery.

Councilmember Cordero announced that at the next Rotary Club meeting, City Manager Ness's son would be speaking. His son would be graduating from Cal Poly this month as the Class Valedictorian. He congratulated City Manager Ness.

Councilmember Cordero talked about all the projects going on in Northern Santa Barbara County that were putting millions of dollars into the local economy and putting people to work.

CLOSED SESSION

The City Council recessed to a Closed Session at 7:37 p.m. to discuss Conference with Legal Counsel - regarding Existing Litigation pursuant to Subsection (a) of Government Code Section 54956.9 for Santa Maria Police Officers Association v. City of Santa Maria, Superior Court Case No. 1318327; Conference with Legal Counsel - regarding Existing Litigation pursuant to Subsection (a) of Government Code Section 54956.9 for General Development Company v. City of Santa Maria, Superior Court Case 1320579; and Conference with Legal Counsel – regarding Existing Litigation pursuant to Subsection (a) of Government Code Section 54956.9 for Prancevic v. City of Santa Maria, et. al, United States District Court, Case No. CV10-3667.

After the Closed Session, the following report was given:

Conference with Legal Counsel – Santa Maria Police Officers Association v. City of Santa Maria (Case No. 1318327) – Direction to staff was given.

Conference with Legal Counsel – General Development Company v. City of Santa Maria (Case No. 1320579 – A status report was given with no reportable action taken.

Conference with Legal Counsel – Prancevic v. City of Santa Maria (Case No. CV10-3667) – A status report was given with no reportable action taken.

ADJOURNMENT

There being no further business to come before the City Council at this time, the meeting was declared adjourned at 8:32 p.m. by Mayor Lavagnino.

APPROVED

June 15, 2010
Date

Chief Deputy City Clerk and ex-officio Clerk of the City Council

ATTEST

Chief Deputy City Clerk

Mayor of the City of Santa Maria